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			·	* Table 1
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,029	02/09/2001	Yiannis S. Tsiounis	TOLM0004	8448
7	7590 08/14/2003			
PAUL LIVESAY, ESQ.			EXAMINER	
SMYRSKI & LIVESAY, LLP 1561 LAUREL STREET		LEE, SEUNG H		
SUITE D SAN CARLOS	S, CA 94070		ART UNIT	PAPER NUMBER
			2876	· · · · · · · · · · · · · · · · · · ·

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

,	Application No.	Applicant(s)
	09/780,029	TSIOUNIS ET AL.
Office Action Summary	Examiner	Art Unit
	Seung H Lee	2876
The MAILING DATE of this communication a Period for Reply	appears on the cover sheet	t with the correspondence address
A SHORTENED STATUTORY PERIOD FOR REF THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a - If NO period for reply is specified above, the maximum statutory peri - Failure to reply within the set or extended period for reply will, by sta - Any reply received by the Office later than three months after the may earned patent term adjustment. See 37 CFR 1.704(b). Status	N. 1.136(a). In no event, however, may reply within the statutory minimum of lod will apply and will expire SIX (6) Notes, cause the application to become	y a reply be timely filed thirty (30) days will be considered timely. MONTHS from the mailing date of this communication. e ABANDONED (35 U.S.C. § 133).
1) Responsive to communication(s) filed on 1	4 May 2003 .	
2a) ☐ This action is FINAL . 2b) ⊠	This action is non-final.	
3) Since this application is in condition for allo closed in accordance with the practice und		
Disposition of Claims		
4)⊠ Claim(s) <u>1-15 and 18-25</u> is/are pending in t	• •	
4a) Of the above claim(s) is/are withd	rawn from consideration.	
5) Claim(s) is/are allowed.		
6)⊠ Claim(s) <u>1-15 and 18-25</u> is/are rejected.		
7) Claim(s) is/are objected to.		
8) Claim(s) are subject to restriction and Application Papers	d/or election requirement.	
9)☐ The specification is objected to by the Exami	iner.	
10) The drawing(s) filed on is/are: a) □ ac	cepted or b) objected to b	y the Examiner.
Applicant may not request that any objection to	the drawing(s) be held in ab	eyance. See 37 CFR 1.85(a).
11) The proposed drawing correction filed on	is: a)□ approved b)□	disapproved by the Examiner.
If approved, corrected drawings are required in	reply to this Office action.	
12)☐ The oath or declaration is objected to by the	Examiner.	
Priority under 35 U.S.C. §§ 119 and 120		
13) Acknowledgment is made of a claim for fore	ign priority under 35 U.S.	C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:		
1. Certified copies of the priority docume	ents have been received.	
2. Certified copies of the priority docume	ents have been received in	Application No
 3. Copies of the certified copies of the properties o	Bureau (PCT Rule 17.2(a)).
14) Acknowledgment is made of a claim for dome	estic priority under 35 U.S.	C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language 15)☐ Acknowledgment is made of a claim for dome	• •	
Attachment(s)		
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s	5) Notice	ew Summary (PTO-413) Paper No(s) of Informal Patent Application (PTO-152)
S. Patent and Trademark Office TO-326 (Rev. 04-01) Office	Action Summary	Part of Paper No. 10

DETAILED ACTION

1. Receipt is acknowledged of the Amendment filed on 14 May 2003, which has been entered in the file.

Claim Objections

2. Claim 14 is objected to because of the following informalities:

Re claim 14, line 1: The phrase "the user PIN" lacks proper antecedent basis.

Appropriate clarification and correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7, 9, 11, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Takano (US 5,012,077).

Takano teaches a processing terminal (1) for conducting transaction wherein the terminal is capable of processing a credit card and a debit card in which the debit card processing is determined by reading the debit card information (e.g., the card

Application/Control Number: 09/780,029 Page 3

Art Unit: 2876

identification number) serving as a second card identification number, executing transaction such as transferring of money from the particular user's account assigned with an unique account number serving as a first card identification number to the store's account wherein the transferring of money is limited to the amount of user's account, connections between a card reader (40), CPU (10), and other devices within the terminal and an ECR/POS terminal serving as a second network whereas the connection between the terminal and banks serving as a first network, entering customer's secret number or personal identification number (PIN) (S13), an authorization of the transaction is determined by the amount of for each and every transaction wherein the valid transaction serving as a activation and invalid transaction serving as deactivation of the operation (see Figs. 1-6; col. 1, line 23- col. 2, line 5; col. 3, line 29- col. 6, line 5)

5. Claims 19, 20, and 22-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Abecassis (US 5,426,2811).

Abecassis teaches a transaction protection system comprising a center (40) wherein the center having a card and limit verification system (41), transaction processing system (42), deposit information and control system (43) and payment system (44) which the card and limit verification is receiving information for a particular transaction (2209), debiting the amount of purchase from the user account, sending the payment to seller once the transaction is successfully completed, refunding the purchase amount to buyers if the transaction is not completed, printing deposit slips

Application/Control Number: 09/780,029

Art Unit: 2876

wherein the seller signature is required for transaction (see Figs. 1-12; col. 4, line 64-col. 12, line 17).

Claim Rejections - 35 USC § 103

- 6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 7. Claims 8, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano in view of Fukatsu (US 5,302,811).

The teachings of Takano have been discussed above.

Although, Takano teaches a method for using debit card for transaction with a PIN, he fails to teach or fairly suggest that the PIN is verified.

However, Fukatsu teaches a requesting user to enter password than transmitting the data associated with account number and password for checking account at the host computer, depositing/reloading the money to user account (see Figs. 16-19; col. 15, line 25- col. 20, line 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Fukatsu to the teachings of Takano in order to provide an improved security means for authenticating the card number with PIN that was provided by user, due to the fact that such modification is well known in

Art Unit: 2876

the art for accessing the account information such as banking account, a credit card account, a loan account, etc., and therefore an obvious expedient.

8. Claims 10, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano as modified by Fukatsu, and further in view of Kano (US 4,808,802).

The teachings of Takano/Fukatsu have been discussed above.

In addition to the teachings of Fukatsu as discussed above, he also teaches that users can withdraw/deposit money from/to the account via POS terminal (see col. 18, lines 15-59). However, they fail to teach or fairly suggest that the numbers of attempts of depositing are predetermined.

Kano teaches a method of limiting numbers of attempts to access information and retrieving second PIN using a first PIN (see Figs. 1-4; col. 2, line 28- col. 5, line 38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the well-known method of limiting numbers of attempts to access information as taught by Kano to the teachings of Takano/Fukatsu in order to prevent endless attempts of accessing information due to the fact that such modification would provide an user-friendly system means wherein system will readily useable for customers if certain number of attempts was made by a particular user without successful access. Moreover, such modification would provide an additional

Application/Control Number: 09/780,029 Page 6

Art Unit: 2876

security means for retrieving the second PIN for conducting user's request, and therefore an obvious expedient.

9. Claims 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis.

The teachings of Abecassis have been discussed above.

Although, Abecassis teaches the transaction protection system comprising refunding the amount of purchase money after confirming the seller's failure of delivery products/goods, he fails to particularly teach that the refund message comprises a signature of seller for confirming of refund.

However, it would have been an obvious to one of ordinary skill in the art at the time the invention was made to include the signature of the seller for validating the refund process since a signature is known for one of authorizing/acknowledging of decision made by signee, in this case, the seller is confirming the failure of delivery and authorizing refund of amount, and therefore an obvious expedient.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure;

Payne et al. [US 5,715,314], Slater [US 6,098,053], White [US 4,630,201], Nakano et al. [US 5,845,260], Fleischl et al. [US 6,038,552] discloses a system for performing financial transaction,

Carrithers et al. [US 5,689,100] discloses a debit card system,

Risafi et al. [US 6,473,500] discloses a prepay card.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Seung H. Lee whose telephone number is (703) 308-5894. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (703) 305-3503. The fax-phone number for this group is (703) 308-5841 or (703) 308-7722.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [michael.lee@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Application/Control Number: 09/780,029 Page 8

Art Unit: 2876

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Seung H. Lee Art Unit 2876 August 6, 2003

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800